

IMPORTANT NOTICE TO CLASS AND ORDER

TO: ALL DISABLED PERSONS RESIDING IN PUBLIC HOUSING UNITS OWNED BY HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII BETWEEN AUGUST 18, 2002 AND THE PRESENT

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, you are hereby notified:

1. The above captioned class action is pending in this Court. It was brought on behalf of a class of persons consisting of disabled persons (1) that currently reside, or have resided since August 18, 2002, in a public housing project (2) in which residents receive utility allowances, and (3) whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public housing utility allowances. The suit claims that the Housing and Community Development Corporation of Hawai'i failed to notify disabled tenants of their rights under various federal laws, failed to adopt procedures to increase utility allowances for qualified disabled tenants, and charged qualified disabled tenants rents in excess of that allowed by law. The suit seeks a declaration that the Housing and Community Development Corporation of Hawaii ("HCDCH") has violated the law and that class members are entitled to utility allowance adjustments.

2. On March 2, 2005, the Court entered an order certifying this action as a class action and defining the class as set forth in paragraph 1. The Court also approved the attorneys below as Class Counsel.

EXHIBIT " 2 "

3. On May 31, 2005, the Court entered an order in favor of Plaintiffs, holding that HCDCH did violate the law and requiring HCDCH to make appropriate adjustments to the utility allowances for those residents whose special needs arising from their disability require them to consume utilities in excess of the amount provided for in the standard public housing utility allowances.

4. This notice is given to you in the belief that you may be a member of the above class whose rights may be affected by this lawsuit.

5. If you are a member of the class described in paragraph 1, you will be included in the class and are bound by the judgment whether favorable or unfavorable. You will not be responsible for any Court costs.

6. If you are a member of the class, and believe that you have incurred excessive electrical bills because of your disability or you wish to get more information concerning this notice, you may contact the Class Counsel, at the address shown.

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7. This notice shall be mailed by Defendants, by first class mail, postmarked on or before July 1, 2005, to all public housing tenants known to be disabled, and to the last known address of all known former tenants who were disabled.

8. In addition, this notice shall be posted in at least three (3) conspicuous places within each structure or building of each housing project owned or operated by HCDCH, as well as in a conspicuous place at the project office, if any, or if none, a similar central business location within each such project.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, JUN 17 2005.

ALAN C. KAY
Chief United States District Judge